

computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. Kuntz's motion for a continuance of the hearing (Filing No. 20) is granted. The tentative setting of an evidentiary hearing for 9:00 am. on July 27, 2005, is **canceled** and is rescheduled for **1:30 p.m. on August 26, 2005**, in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at which time all pending motions in this matter will be heard.

DATED this 20th day of July, 2005.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge